

Remarks

The Applicants have amended the independent claims to recite that at least a portion of the doll is at least partially bendable or articulated. Support may be found at page 4, line 15, and paragraph 2 of page 8 of the Applicants' Specification. The independent claims have further been amended to recite that the skin or garment is sufficiently flexible and elastic to bend at bending or articulation locations of the doll. Support may be found at page 5, second paragraph, and page 9, line 3 of the Applicants' Specification. Entry into the Official File and consideration on the merits is respectfully requested.

The Applicants have added new Claims 20 and 21. They are based substantially on Claims 1 and 6, respectively, except that they recite a seamless doll's garment as opposed to a doll's skin. Entry into the Official File and examination on the merits is respectfully requested.

The Applicants acknowledge the provisional obviousness-type double-patenting rejection of Claims 1 and 13 – 18. Inasmuch as this rejection is a provisional rejection, the Applicants request that this rejection be held in abeyance until allowability of Claims 20 – 23 and 25 – 51 of the co-pending Application is indicated.

The Applicants acknowledge the rejection of Claims 1 and 3 – 5 under 35 U.S.C. §102 as being anticipated by Yasuda. For the reasons set forth in detail in prior Amendments, the Applicants respectfully submit that Yasuda fails to disclose a seamless, molded elastomeric material. There is utterly no disclosure of such a seamless material in Yasuda. The garments/skins formed by Yasuda inherently have seams by virtue of the disclosed flat sheet formed into a garment/skin or by virtue of the fact that a cross-section of the laminates of Yasuda show multiple seams by virtue of the multiple layers that are present.

Yasuda fails to disclose the claimed wall thickness of the claimed doll's skin. Although Yasuda discloses various thicknesses in microns of various layers of the Yasuda laminate, there is utterly no disclosure concerning the wall thickness of the "clothing for dolls" in Yasuda. Moreover, the disclosure of Yasuda is so deficient that one of ordinary skill in the art could not even guess as to what the thickness of the skin might be inasmuch as Yasuda discloses that the Yasuda laminates can have fabrics such as woven fabric, knitted fabric, braid, nonwoven fabric, lace, mesh, bonded to the outermost resin layer thereof, to thereby have a soft texture and a unique appearance. No disclosure at all is given concerning the thickness of those materials. At best, some of those fabrics are said to have fibers having a thickness of 0.5 to 20 denier. However, this is in no way indicative of the thickness of the fabrics. Thus, one can only guess or speculate as to the thickness of the "clothing for dolls" disclosed in Yasuda. Accordingly, Yasuda fails to disclose, either explicitly or implicitly, the wall thickness from 1 to 3 mm of the claimed seamless doll's skin. Withdrawal of the rejection of Claims 1 and 3 – 5 under 35 U.S.C. §102 based on Yasuda is respectfully requested.

The Applicants acknowledge the rejection of Claim 1 under 35 U.S.C. §102 as being anticipated by Fogarty. Careful scrutiny of the entire Fogarty disclosure reveals that there is not one word concerning wall thickness. Accordingly, Fogarty is actually non-enabling as prior art against Claim 1. Withdrawal of the rejection of Claim 1 under 35 U.S.C. §102 based on Fogarty is respectfully requested.

The Applicants acknowledge the rejection of Claims 6 – 11 and 13 – 14 under 35 U.S.C. §103 over Yasuda. The Applicants agree that Yasuda fails to disclose the claimed modulus of elasticity. However, as stated above, Yasuda also fails to disclose much more. Yasuda fails to disclose, teach or suggest a seamless, injection-molded elastomeric material. The details of such failure will not be repeated in view of their clear absence as described above.

There is no indication that at least a portion of the doll is partially bendable or articulated and/or that the doll's skin is sufficiently flexible and elastic to bend at bending or articulation locations of the doll. Yasuda briefly mentions a laminate that can have fabrics bonded to the outermost resin layer to be effective for clothing for dolls. There is utterly no disclosure concerning a doll and/or the bendability or ability of the non-existent doll to be articulated. It inherently follows that there is no disclosure concerning the ability of the "clothing for dolls" to be sufficiently flexible and elastic to bend with non-existent bending or articulation locations of a non-existent doll. Again, Yasuda is essentially non-enabling in view of its utter failure to disclose, teach or suggest critical portions of the subject matter set forth in Claims 6, 13 and 14.

With respect to the assertion that Yasuda "inherently has a modulus of elasticity," the Applicants respectfully submit that such an alleged modulus of elasticity has nothing to do with this invention as it is claimed in Claims 6, 13 and 14. Yasuda teaches a variety of materials laminated to each other which may have a variety of moduli of elasticity. It would be purely speculative to guess what the ultimate modulus of elasticity of the resulting laminate would be. Further, it would add yet another layer of speculation to determine what the ultimate modulus of elasticity of the "clothing for dolls" is by virtue of the further addition of fabrics having been bonded to the outermost resin layer. The paucity of disclosure on this point, again, renders Yasuda non-enabling as effective prior art against the subject matter of Claims 6, 13 and 14.

With respect to Claims 7 – 10, Yasuda fails to provide disclosure, teachings or suggestions that would cure the deficiencies in disclosure as set forth above with respect to Claim 1.

As a matter of housekeeping, the Official Action states the Applicant claims both a doll's skin and garment in Claim 13. This is not true. Claim 13 recites a doll's skin. To the extent that

the Official Action intended to refer to Claims 13 and 14, Claim 14 has been amended to refer to a skin, thereby rendering Claims 13 and 14 consistent.

Withdrawal of the rejection of Claims 6 – 11 and 13 – 14 under 35 U.S.C. §103 over Yasuda is respectfully requested.

The Applicants acknowledge the rejection of Claim 12 under 35 U.S.C. §103 over the hypothetical combination of Fogarty with Yasuda. The deficiencies of Yasuda with respect to Claim 1 have already been detailed. Hypothetically combining Fogarty with Yasuda in connection with Claim 12 does not cure the underlying deficiency of Yasuda. Therefore, the rejection based on the hypothetical combination of Fogarty with Yasuda must fail. Withdrawal of that rejection is respectfully requested.

The Applicants acknowledge the rejection of Claims 3 – 5 and 9 under 35 U.S.C. §103 over the hypothetical combination of Yasuda with Fogarty. The deficiencies of Fogarty and Yasuda have individually been detailed above. They both have the same common deficiencies which result in their combination still having the same common deficiencies. Thus, hypothetically combining Yasuda with Fogarty to reject Claims 3 – 5 and 9 must fail. Neither discloses the claimed seamless aspect of the doll's skin and neither discloses the claimed wall thickness from 1 to 3 mm. Withdrawal of the rejection of Claims 3 – 5 and 9 based on the hypothetical combination of Yasuda with Fogarty is respectfully requested.


The Applicants acknowledge the rejection of Claim 15 under 35 U.S.C. §103 as being obvious over the hypothetical combination of Yasuda with Fogarty. The Applicants respectfully submit that this rejection is also inapplicable for the reasons set forth above with respect to Claims 1, 3 and 5. Further, both of Yasuda and Fogarty fail to disclose, teach or suggest the claimed doll's height in the range of about 8 cm to about 20 cm. Accordingly, both Yasuda and Fogarty are non-

enabling as prior art against Claim 15 and the Applicants respectfully request withdrawal of the rejection.

Finally, the Applicants acknowledge the rejection of Claims 16 – 18 under 35 U.S.C. §103 over the hypothetical combination of Gross with Yasuda and Fogarty. The Applicants note that Claim 17 has been cancelled, thereby rendering the rejection of Claim 17 moot. The Applicants respectfully submit that hypothetically combining Gross with either or both of Fogarty and Yasuda fails to teach or suggest the invention as recited in those claims. Gross does nothing to cure the deficiencies set forth above with respect to the rejection of Claim 15. There is no disclosure at all in Gross concerning the modulus of elasticity, for example. Thus, there is inherently no disclosure of the narrower modulus of elasticity as set forth in Claim 18 and the fact that Gross does disclose a doll articulated at a number of joints does not make up for the above-mentioned deficiencies. Withdrawal of the rejection of Claims 16 and 18 is accordingly respectfully requested.

In light of the foregoing, the Applicants respectfully submit that the entire Application is now in condition for allowance, which is respectfully requested.

Respectfully submitted,


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